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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 KEVIN BRUNSTON,

Case No.: 2:21-cv-01947-JAD-NJK

9 Plaintiff,

10 vs.

11 GAUGHAN SOUTH LLC, a domestic
12 corporation dba SOUTH POINT CASINO;
13 CHRIS BIANCA, Pit Boss Manager for the
14 SOUTH POINT company; DOE BUSINESS
15 ENTITIES 2 through 10; DOE
16 INDIVIDUALS 2 through 50, inclusive, in
their individual and official capacities,

**PLAINTIFF'S MOTION
TO EXTEND TIME TO FILE
THE JOINT PRETRIAL ORDER**

Defendants.

17 COMES NOW Plaintiff, KEVIN BRUNSTON, by and through his counsel, Robert S.
18 Melcic, and files this *Motion to Extend Time to File the Pretrial Order*. This *Reply* is brought with
19 the following Memorandum of Points and Authorities, the papers and pleadings on file in this case,
20 and any further briefing or oral argument this Court may wish to entertain.

22 **MEMORANDUM OF POINTS AND AUTHORITIES**

23 **I. INTRODUCTION**

24 Plaintiff is seeking a fourteen-day (14) day extension of time within which to file the
25 Joint Pretrial Order.

26 **II. RELEVANT PROCEDURAL HISTORY**

27 Plaintiff and Defendant were scheduled to file the Joint Pretrial Order on November 30,

1 2022.

2 **III. SUBSEQUENT HISTORY**

3 Plaintiff's counsel and Defendant's counsel have not yet had the pretrial conference as
4 required under FRCP 16(c)(1).

5 **IV. LEGAL ANALYSIS**

6 Federal Rule of Civil Procedure 6(b)(1)(A) provides in pertinent part:

7 (b) EXTENDING TIME.

8 (1) *In General.* When an act may or must be done within a specified time the
9 court may, for good cause, extend the time:

10 (A) with or without motion or notice if the court acts, or if a request is
11 made, before the original time or its extension expires;

12 Fed. R. Civ. P. 6(b)(1)(A). Plaintiff contacted Defense counsel seeking a timeline of when he
13 could have this meeting. Defense counsel was under the impression that this meeting had already
14 occurred. However, it has not and there have been no agreements yet made as to the contents of
15 the Joint Pretrial Order. In order to give the parties sufficient time to meet and confer, Plaintiff is
16 seeking a two-week extension of time to file the Order.

17 While Plaintiff intends for this to be finished with all haste, Plaintiff cannot be sure of
18 Defendant's current availability at the time of filing this motion. Therefore, Plaintiff seeks an
19 extension of time to **December 14, 2022** to file the Joint Pretrial Order.

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V. CONCLUSION

Based on the foregoing, Plaintiff respectfully requests the Court to grant an extension of time to file the Joint Pretrial Order.

Dated this 30th day of November, 2022.

Respectfully submitted,

/s/ Robert S. Melcic
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This stipulation is GRANTED, but no further extensions will be allowed.
IT IS SO ORDERED.

Dated: December 2, 2022

Dated: December 2, 2022

Nancy J. Koppe
United States Magistrate Judge